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PATENT

Docket No: ST02001USU (159-US-U1)

Serial No.: 10/523,669

REMARKS

STATUS SUMMARY

Claims 1-6, 14-17, and 25 are pending in the present application, claims 7-13, 18-24, and 26 having been withdrawn responsive to a restriction and/or election requirement. The Examiner has rejected claims 1-6, 14-17, and 25 under 35 U.S.C. § 102(e). In response, Applicants have amended claims 1, 2, 4, and 17 and are traversing the rejections of claims 1-6, 14-17, and 25 under 35 U.S.C. § 102(e).

CLAIM AMENDMENTS

Amendments have been made to claims 1, 2, 4, and 17 to improve the clarity of the claims. No new matter has been added by these Amendments. Additionally, Applicants reserve the right to present the amended claims in their original form in one or more continuation applications.

CLAIM REJECTIONS - 35 U.S.C. § 102(e)

Claims 1-6, 14-17, and 25 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,542,823 to *Garin et al.* ("Garin"). Applicants respectfully traverse these rejections because the cited reference fails to teach or suggest each and every feature or element recited in the rejected claims.

Independent claim 1, as amended, discloses:

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A method for processing, within a mobile device, protocol aiding data received at a call processor with a Global Positioning System ("GPS") interface, where the protocol aiding data is produced according to a Geolocation Server Station protocol, the method comprising:

receiving, at the GPS interface, the protocol aiding data received at the call processor;

converting the received protocol aiding data to interface data that is transparent to the Geolocation Server Station protocol; and

passing the transparent interface data to a GPS module.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Here, the element at issue is, in a method of processing, the step of "converting the received protocol aiding data to interface data that is transparent to the Geolocation Server Station protocol." Applicants respectfully submit that this element is not taught or disclosed in *Garin*.

In the pending final Office action, the Examiner restates the basis for rejection in the prior Office action as follows:

Regarding claims 1 and 25, Garin et al. teaches a method for processing, within a mobile device, protocol aiding data received at a call processor with a Global Positioning System ("GPS") interface, where the protocol aiding data is produced according to a Geolocation Server Station protocol. (6542823, column 5, lines 4-21, the handset 104 comprises a call processor CP 200 for performing call processing to receive data from a geo-location server (108)), the method comprising: receiving, at the GPS interface, the protocol aiding data received at the call processor ('823, figure 2, GPS section 202 receives the data from the geo-location server via the base station 106), converting the received protocol aiding data to interface data that is transparent to the Geolocation Server Station protocol; and passing the interface data to a GPS module ('823, figure 2, the serial communication lines 204 is used to convert the received data from geo-location and passes it to the CP section 200).

In his Response to Arguments (page 4), the Examiner states that that "[t]he wireless handset includes all necessary components for receiving protocol aiding data as said above and

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converting the received protocol aiding data to interface data that is transparent to the Geolocation server station protocol." The Examiner refers to col. 4: lines 29-33 and FIG. 1 of *Garin*, for the proposition that the disclosure in *Garin* accommodates "a wide range of wireless communication platforms, including CDMA, TDMA, AMP, and even pager systems." This, however, is not the teaching of converting received protocol aiding data to transparent interface data.

As for claim 2, which includes the element of packing transparent interface data into a message format before passing the transparent interface data to a GPS module, the Examiner claims that this too is taught by *Garin*, citing the abstract. In general, *Garin* is related to multi-mode Global Positioning Systems (GPS) for use in wireless networks that operate in multiple modes, such as a standalone mode, an autonomous mode, a "network aided" mode, a "network based" mode, and other modes. Abstract, and col. 3: line 50, through col. 4: line 10. In general, *Garin* is related to the operation of a GPS system in different modes and does not teach or disclose anything related to the processing of aiding data compatible with the various protocols of Geolocation Server Stations.

Based on the foregoing, Applicants respectfully submit that *Garin* does not teach or disclose each and every feature or element recited in the rejected claims 1 and 25. Specifically, *Garin* does not teach or disclose converting received protocol aiding data to transparent interface data. Thus, claims 1 and 25 (which is a method claim comprising the step of converting the received protocol aiding data to interface data transparent to the Geolocation Server Station protocol) are not anticipated by *Garin* and therefore claims 1 and 25 are allowable. Independent claim 1 being in condition for allowance, dependent claims 2-6 and 14-17 are also in condition

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for allowance for at least the same reasons. Therefore, Applicants respectfully request that these rejections be withdrawn.

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CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited. However, if the Examiner believes that the Amendments and Remarks do not place the application in condition for allowance, applicants respectfully request an Advisory Action.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Respectfully submitted,

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Dated: June 24, 2008

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